

## A DRAMATIC MOMENT IN THE SUTTON HEARING.



LIEUT. ADAMS DESCRIBING HIS FIGHT WITH SUTTON.

Adams, near the right of the picture, is bending over to illustrate how he forced Sutton to the ground. At his right are Attorney Vandyke, the three white-clad figures at the head of the table are Commander Wood, Capt. Neville, and Lieut. Jensen of the court. Judge Advocate Leonard is at the other end of the table, with his back to Adams.

held down by Lieut. Bevan and Utley. If this comes out, and it is practically certain that it will, and is corroborated by Bevan and Utley, the value of Adams' testimony will be materially lessened.

If there is one point upon which Adams has been positive it is on the manner in which the fight was fought. He has said that he was excited during his struggle with Sutton, and has confessed uncertainty as to how many men there were present when the various quarrels and fights of the night came to an abrupt end with Sutton's death.

Upon the manner of Sutton's death he has been absolutely clear, even to lying on the floor of the courtroom, with his head almost touching the feet of Attorney Davis and Mrs. Parker, and showing with his own body exactly how Sutton lay immediately before he fired the last shot and the position of his arm when he pulled the trigger.

**Would Impach Adams' Story.**  
If other witnesses declare that two men were holding Sutton when he suddenly jerked away his arm and fired Adams will have trouble in explaining why he failed to see these two men, he having testified that he stood but a few feet from Sutton when he died.

But like other really important bits of evidence tending to show that the version of the affair accepted by the original court was incorrect, this is yet to come. Premises of such value have been made, but they have not yet been fulfilled.

Much, it is thought, depends upon the statement of Mrs. Parker. It is hardly probable that she will take the stand until several other witnesses have been heard.

When Lieut. Adams was excused Lieut. Osterman, who rode from Carvel Hall to the barracks in the automobile with Sutton, Adams and Utley on the night of the tragedy, and who, according to Adams' testimony, fought with Sutton after they reached the grounds, took the stand. His story of the ride to the barracks and the beginning of the row over the question of whether the noisy automobile should be taken into the grounds and of his own fight with Sutton was substantially the same as told by Adams.

In regard to Sutton's reputation, Osterman said that Sutton was unpopular. He had heard that Sutton had threatened to "shoot up" the camp. He had never heard Sutton make any such threat.

The direct examination of Lieut. Osterman was completed at the close of the morning session without the development of anything of additional value to the inquiry.

**Adams Again on Rack.**  
When the court met this morning Lieut. Adams was again called to the witness stand.

Lieut. Adams was further cross-examined by Counsel Davis. He was calmer and more self-possessed than the day before.

At the outset his position was changed to another place at the long inquiry table at the request of the judge advocate. His new seat was exactly across from those of Mrs. Sutton and Mrs. Parker and their counsel, and he was now in a position to see them more noticeably than yesterday.

Counsel started today's cross-examination by bringing up apparent discrepancies between Adams' account of the death of Sutton as given yesterday and his version at the previous inquiry. Counsel pointed out that Adams told yesterday that he met Sutton alone near the edge of the parade ground, when Sutton threatened to shoot him, while formerly Adams had said that he met Sutton and others were on hand at that moment.

Mr. Davis attempted further to show that Adams had formerly said that bystanders had disarmed Sutton of the revolver in his left hand after Adams had thrown him to the ground. Yesterday Adams testified that one of the men jumped on Sutton's left hand, but he did not know if Sutton had been disarmed of the revolver in that hand or not.

**Tells Story as He Remembers.**

On these points, Mr. Adams, your recollection now is as you testified yesterday.

"It is absolutely."

"Then you think that your testimony at the previous inquiry was wrong?"

"If I testified as you say, that was as I remember the matter then; now I remember it as I told you yesterday."

"Don't you think that your first account, given only a short while after the event, would not have been more exact?"

"All I can say is I now remember the events just as I have been telling them."

Counsel's intention was evidently to get the impression on the jury that Adams was trying to color his narrative so as to suppress the former impression that Adams and Sutton had left the automobile on the night of Sutton's death to fight a prearranged duel.

"Did you," asked Mr. Davis, "while at Carvel Hall, make a statement to a newspaper correspondent, as reported in a New York newspaper, in which you said: 'I don't know much about Christianity, but I know that a man who tries to gain a hollowed grave for a man by trampling a charge of murder against two innocent men'?"

The judge advocate: "I object. I don't see the purpose of this kind of question."

Counsel for Adams also raised objection to a line of questioning tending to show that Adams considered himself accused of murder.

Mr. Adams is here to answer all questions, and to make his part in the unfortunate affair perfectly clear. I hesitate to make objection to this question, and it seems to me, however, that at this time the question is not one that should be asked of a witness.

The court ruled the question improper.

**Interview With Mrs. Parker.**

Taking up the interview with Mrs. Parker just after Sutton's death, counsel asked Adams if Mrs. Parker had not called him into her room at Carvel Hall and asked him to give her a true statement of Sutton's death.

"Mrs. Parker started to insinuate that I had not told the truth at the inquiry," replied the witness, "but she said that she wanted the truth and she could find it in my statements on record, and that she had no right to question my word."

"If she insisted on doubting it, I told her I should be obliged to take my departure."

"Did you at that interview say that Sutton had used abusive language to you and that you would not stand for it?"

"Did you tell her that when Sutton and other men were struggling, Sutton struck his fist in Osterman's eye?"

"Only referred her to the record."

"Did you tell her that when Utley told Sutton to get up, he would not, and that he said he would shoot you all before morning?"

"I don't remember."

Counsel made a vigorous effort to prove from the letter that Adams and himself that Sutton had but one revolver, that he had been taken away from him, that he had not had a revolver, that Adams, at the time of the shooting, was beside himself with rage. Adams met a line of searching questions along these lines with a series of evasive answers, implying a bad memory.

**Adams Does Not Remember.**  
"Did you tell her that you saw Sutton later coming down the path with two revolvers?" asked Mr. Davis.

"I don't remember."

"That you ran behind him and caught his arm?"

"I don't remember."

"That you threw him and beat the back of his head, while two others jumped on him?"

"I don't remember."

"Did you tell her that you were not sorry that you had beaten him, because you knew he was going to kill you?"

"I don't remember."

"When she said that any jury in the land would hold you guilty, did you say: 'I am not telling it to a jury. It's the truth, though'?"

"I don't remember anything of the sort."

"Did she show you a small revolver and ask you if it was the one that Sutton carried, and show you it was rusty and empty?"

"I don't remember."

"Did she ask you how Sutton could have killed himself if he did not have his revolver, and did you then tell her that Sutton still had his revolver and that Sgt. De Hart took it from him afterward?"

"Lieut. Edward Osterman, U. S. M. C., was called to the stand after Adams and, following a brief consultation of counsel, was dismissed from the witness stand by the court, being entitled by orders of the

Navy Department to be present throughout the case.

**Osterman Called to Stand.**

Osterman is a blond young man, with a nervous air and a voice quite as constrained as that of Adams when he first took the stand yesterday.

He took the stand at the events of the night of October 12, 1907, the night of Sutton's death.

Almost word for word he told the same story that Adams had related the day before.

"Where were you and what were you doing from 8 p.m. to 2 a.m. October 12-13, 1907?" was the first question Maj. Leonard asked the witness.

Osterman wore his white service uniform, and appeared to be a husky young officer from his size and bearing. He is of heavier build than Adams.

Starting with the hop at the academy and the meeting with Sutton later, about midnight, he told the same story of the incidents of that night as told by Lieut. Adams.

Answering in a room at Carvel Hall about 12 o'clock, when Lieut. Sutton appeared at the door with a bottle of whisky in his hand and asked us to say 'drink' began the witness. "We told him we were not drinking whisky, and he went away."

"About twenty minutes later he came back and said he had an automobile outside, and asked if we did not want to ride to camp. I don't think any one made an answer, but we all went out and Lieut. Adams, Utley, Sutton and myself got into an automobile and started for the camp."

**Tells of First Fight.**

From that point on Lieut. Osterman told of the first fight between Sutton and Adams and himself near the marine camp, and later running down to where the shots were fired. He found Adams and Lieut. Roelker lay on the ground.

"Some one said Sutton killed Roelker and then killed himself," the witness said. "I don't know who said that, but I heard it."

"Did you," asked Mr. Davis, "while at Carvel Hall, make a statement to a newspaper correspondent, as reported in a New York newspaper, in which you said: 'I don't know much about Christianity, but I know that a man who tries to gain a hollowed grave for a man by trampling a charge of murder against two innocent men'?"

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sent away and he recalled that he owed Sutton \$1.50, which he had not yet paid.

He said he did not know what were the relations between Sutton, Osterman, Utley and Roelker.

"The first initiation he gave of any quarrel with Sutton was done with apparent reluctance. He said that when he first entered the school of appliance he had been warned by a classmate that if he associated with Sutton he would get into trouble, as Sutton was always in trouble, that Sutton had threatened to shoot up the camp and had once shot up a camp."

Mrs. Sutton and her daughter smiled broadly.

"For a time I was friendly with Sutton, and we called on girls together," said Adams. "My first trouble with him was at sectional drill. We hit some words. Once again he gave me an order he had no right to do, and I told him I would pay him a dollar and a half I owed him and call it quits. I afterward tried to pay his sister, but she would not accept it."

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**Sutton Had Two Revolvers.**

When Adams was turned over to Attorneys Davis and Van Dyke, for the Suttons, he settled himself for a long siege. He was wise to do so. Mr. Davis made him go over and describe with minute detail every minute of the evening, and dwell long on the incidents of the fight. The name of Miss Stewart was not mentioned.

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**Sutton Had Two Revolvers.**

Stewart outlines graphically the events on the night of Lieut. Sutton's sudden death.

**Candidate for Marine Corps.**

Thomas, who is said to be a well known business man of Martins Ferry, Ohio, also states that he at one time considered enlisting in the United States Marine Corps, but was advised to stay out of the service.

Thomas claims to have known both Lieuts. Sutton and Roelker personally, and in fact was Sutton's guest the day preceding the tragedy.

Mr. Thomas also states that he was himself well acquainted with the late Lieut. Sutton, U. S. M. C. Sensational details are given out by Mr. Thomas, in a signed interview which will no doubt call him before the board of inquiry now sitting at Annapolis.

"I first met Sutton," said Mr. Thomas, "at Washington, having come there to prepare for my examination for the United States Marine Corps. During the first week of our acquaintance Lieut. Sutton showed me a letter from Adams challenging him to fight a duel with pistols."

The night of the tragedy Adams and Sutton were in company at the hall in Annapolis, with two young ladies, one of them Miss Stewart of Pittsburg.

**Tale of Earlier Quarrel.**

"That evening I went over to Lieut. Sutton's quarters to get my overcoat and was returning to go to the city when I met Lieut. Sutton, Adams and I think, Utley. Adams was seated with the chauffeur."

"Without apparent warning Adams jumped from the machine and grappled with Sutton. A loud and angry argument followed. I could hear Sutton, from where I was standing, state he would not get into any mixup, but Adams and Sutton went on with a fist fight in which Sutton got worsted."

"They were finally parted by several persons standing by. Sutton then went to his room."

"I waited for him and he and I walked to the gate. I called his attention to the fact that he was carrying a revolver in his belt. He said he would get even for it."

"But he said little to me regarding the matter. He spoke of Adams taking away his 'girl,' and paying particular attention to her, from which I concluded the trouble started. Sutton also stated he would cut off his own right arm, if necessary, for his 'girl,' as he referred to her."

**Sutton Worried by Trouble.**

"We talked quite a while at the academy gate. Sutton appeared worked up over the trouble. I returned to Washington, that night, leaving Sutton at the crossing of the Annapolis car line between Washington and Annapolis, near the academy."

"I heard of Lieut. Sutton's death the next morning from the papers."

"I also knew Lieut. Edward P. Roelker, who was dismissed from the navy and is the important missing witness at the inquiry now being held. I have seen Roelker since."

"He is working here, I am told, under an assumed name."

Harry B. Thomas of Wheeling, W. Va., was examined in the fall of 1908 for appointment as second lieutenant in the Marine Corps and failed to qualify.

**MISS STEWART MAY TESTIFY.**

Father, Lost to Sight, May Have Gone to Get Her.

PITTSBURG, July 20.—Charles Stewart, the Pittsburg councilman and father of Mrs. E. Stewart, whose name was mentioned in the Sutton investigation, is absent mysteriously from Pittsburg, and his friends hint that he has gone to Annapolis or to Stoney Creek, Ontario, where Miss Stewart is, to take her to Annapolis.

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## UNDER THE NEW LAW AWAIT SHOT'S RESULT

Violations of Elevator Regulations Charged.